



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration

National Marine Fisheries Service

P.O. Box 21668

Juneau, Alaska 99802-1668

June 6, 2004

Theresa Svancara
Project Environmental Coordinator
Alaska Department of Transportation and Public Facilities
6860 Glacier Highway
Juneau, Alaska 99801-7999

RE: Pelican Ferry Terminal Mooring Improvements
Federal Project Number SHAK-0003(89)

Dear Ms. Svancara:

The National Marine Fisheries Service (NMFS) has reviewed the Department of Transportation and Public Facilities' April 6, 2004, request for scoping comments for the Pelican ferry terminal mooring improvements. The revised proposed action includes:

- Place one new dolphin on the south side of the mooring, consisting of 5 steel piles.
- Place the new piles using a vibratory driving method for the majority of each pile driven with the impact method used to proof each piling at bearing depth.
- Upgrade the low tide ramp by replacing two deteriorated concrete panels with new concrete panels.
- Replace timber fenders on the low tide ramp with rubber "D" fenders.

The existing timber piles and dolphins would remain in place until a determination can be made as to the class of vessel that will be used to service Pelican.

You asked for comments on the proposal to assist you, on behalf of the Federal Highway Administration, in determining the appropriate level of environmental documentation. We have reviewed your preliminary information and offer the following comments specific to the essential fish habitat (EFH) provisions of the Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA), the Marine Mammal Protection Act (MMPA) and the Endangered Species Act (ESA).

Essential Fish Habitat

Section 305(b) of the MSFCMA (16 USC 1855 (b)) requires federal agencies to consult with NMFS when any activity proposed to be permitted, funded, or undertaken by a federal agency may have an adverse effect on designated EFH. The Alaska Department of Fish and Game (ADF&G) has catalogued one fish stream (Sitka D-7, #113-95-10030) in the immediate vicinity of Pelican that supports pink and chum salmon. In addition, five ADF&G catalogued anadromous streams between Pelican and the head of Lisianski Inlet produce pink, chum and



coho salmon. Additional MSFCMA managed species in the area may include the following groundfish species: Pacific cod, Pacific ocean perch, walleye pollock, dusky rockfish, shortraker rockfish, yelloweye rockfish, rougheye rockfish, sablefish, sculpin, skate, rex sole and various forage fish.

The MSFCMA requires NMFS to make conservation recommendations regarding any federal or state agency action that would adversely affect EFH. Accordingly, we offer the following EFH Conservation Recommendations:

1. We recommend that construction activities not be conducted during periods of peak use by juvenile salmonids and herring. In-water construction activities should not be conducted from April 1 - May 31 to reduce the impact to herring and migrating juvenile salmon.
2. NMFS recommends removing any existing creosote treated piles as soon as feasible with disposal at an approved disposal site.
3. NMFS recommends that reasonable precautions be taken to prevent accidental discharge of petroleum products and other contaminants. A dock-side emergency oil spill response kit or other appropriate equipment should be made available to allow fast response to small oil spills.

NMFS supports your proposal to: work on the ramp during periods that are dewatered by low tidal stages, work in marine waters during timing windows recommended by resource agencies, and use Best Management Practices during construction.

Upon receipt of these EFH Conservation Recommendations, the MSFCMA requires the Federal Highway Administration to respond to NMFS within 30 days informing us of the agency's decision regarding these recommendations.

Threatened and Endangered Species/ Marine Mammal Protection Act

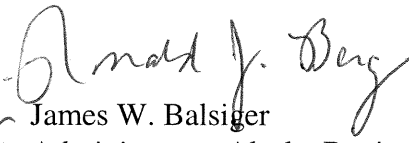
The project is within the range of endangered humpback whales and threatened Steller sea lions, as well as harbor porpoises, harbor seals and killer whales, which are protected under the MMPA.

Pile driving introduces high levels of noise into the water column, with the potential to harass or injure marine mammals. Sound levels in the range of 130-135 decibels have been measured up to one kilometer from a pile driver. Humpback whales, killer whales, Steller sea lions, harbor seals, and harbor porpoises may occur in the project area and could be affected by this work. Any harassment or injury to these animals would violate the MMPA. To reduce the possibility for such an effect, NMFS recommends that pile driving not occur if any marine mammals are observed within 200 meters of the platform. The operator must scan the area for the presence of

marine mammals. If marine mammals are sighted within 200 meters of the sound source, or are observed to be disturbed by the activity, pile driving must cease until the animals leave the immediate area.

If you have any questions regarding our comments and conservation recommendations for this project, please contact Cindy Hartmann (586-7585, cindy.hartmann@noaa.gov).

Sincerely,


For James W. Balsiger
Administrator, Alaska Region

cc: USFWS, Juneau

EPA, Juneau

ADNR-OHMP, Juneau

ADNR-OPMP, Juneau

ADF&G, Janet Hall Schempf, (P.O. Box 25526, Juneau, AK 99802-5526)